

SHELDON I. LEVY (1927-1999)

MALCOLM II. DAVIS

DAMON R. MAHER

JONATHAN A. BERNSTEIN

HARMON L. FIELDS

LEVY DAVIS & MAHER, LLP
ATTORNEYS AT LAW

29 Broadway, Ninth Floor
New York, New York 10006

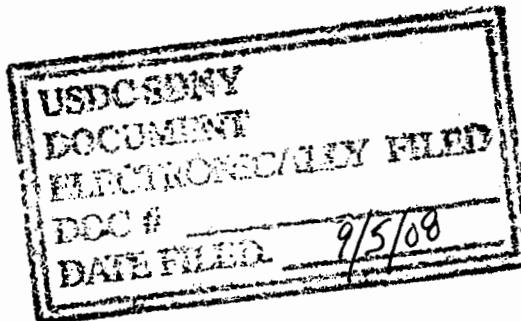
TELEPHONE: (212) 371-0033
FACSIMILE: (212) 371-0468
www.levydavis.com
E-MAIL: thefirm@levydavis.com

MEMO ENDORSED

August 28, 2008

By Fax Only

The Honorable Kevin Nathaniel Fox
United States Magistrate Judge
United States Court House
Southern District of New York
500 Pearl Street
New York, New York 10007



Re: Ayres v. Company C
Communications, LLC,
08 Civ. 04780 (BSJ) (KNF)

Dear Magistrate Judge Fox:

We represent the plaintiff in this action for breach of contract. We were retained on August 26, 2008. A consent to substitute counsel form and our notice of appearance were filed ECF on that date.

A settlement conference before Your Honor is currently set for September 9, 2008, at 2:30 p.m. I write with consent of defense counsel to request a brief adjournment of the conference. Counsel jointly proposes the following dates: September 24 or September 25.

→ 9/5/08
The settlement conference previously scheduled for September 9, 2008, will be held on October 13, 2008, at 2:30 p.m.

SO ORDERED:
Kevin Nathaniel Fox, U.S.M.J.
JAB:hlf

Respectfully submitted,

Jonathan A. Bernstein

cc: Guy Robert Cohen, Esq. (Attorney for Defendant)